

**REMARKS**

The Abstract of the disclosure is amended to correct the informalities noted by the Examiner.

Claims 1-20 are pending in the application.

Claims 1, 11, 13, 14 and 20 are amended. No new matter is added.

**I. REJECTION UNDER 35 U.S.C. §112**

The rejection of claim 11 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is noted. Claim 11 is amended to avoid the rejection.

**II. REJECTION UNDER 35 U.S.C. §103**

The rejection of claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over Yavetz (U.S. Patent No. 4,938,483) in view of Nishiyama (2003/0060287) is traversed.

Comparing the invention according to claim 1 (hereinafter “the present invention”) to the invention disclosed in Yavetz, the features of the present invention are as follows:

the remote control system comprises a recording medium having characteristic information associated with the movable machine recorded thereon,

the transmitter recognizes the characteristic information from the recording to transmit the second identification information obtained

by the recognized characteristic information, the second identification information specifying the movable machine to be controlled, and the movable machine comprises:

a discrimination device for determining whether remote control conducted by the transmitter that has transmitted the second identification information is allowed, on the bases of the received second identification information; and

a remote control prohibition device responsive to discrimination that the remote control is not allowed, for prohibiting the remote control by the transmitter that has transmitted the second identification information, irrespective of whether the combination based on the first identification information is established.

With the above features, and depending on the second identification information transmitted from the transmitter, it is determined that a remote control based on the first identification information by the transmitter is allowed or prohibited to function.

Even in the case where the first identification information can be changed by the player, as the second identification information is fixed and not changed by the player, a pair of a transmitter and a movable machine can be fixed by the second identification information. Therefore, it is possible to disable a pair of transmitters and movable machines. Moreover, a player can control a movable machine by a transmitter, but only when the transmitter obtains the second identification information associated with the movable machine from the recording medium. Therefore, for example, if the recording medium is separated from the transmitter, the game situation is provided only to a player who has purchased the recording medium, and only such a player can use the remote control system.

Yavetz discloses a remote control system where a movable machine can be discriminated by ID and frequency (col. 3, lines 25-28, and col. 4, lines 55-67). The ID of the transmitter and the ID of the movable machine can be selected by a predetermined button (col. 7, lines 46-50) and the frequency can also be selected by a switch (col. 3, lines 25-28). Therefore, both the ID and the frequency can be selected by a player preferably at the moment of using the remote control. Yavetz

fails to disclose or suggest the construction where a pair of transmitters and movable machines are fixed. Even the concept of fixing the pair is neither disclosed nor suggested by Yavetz. Clearly, therefore, the above features were never derived from Yavetz. In addition, Nishimura neither refers to nor suggests that identification information can be used in a remote control system. As noted above, it is understood that even if Yavetz and Nishimura are combined, the above features of the present invention can not be derived from the combination.

Therefore, for the reasons noted above, claim 1 avoids the cited references and is in condition for allowance. Claims 2-9 depend from claim 1 and, therefore, are also considered to be in condition for allowance.

Each of the other independent claims 10, 13, 14, 17, and 20, and the claims 11, 12, 15, 16, 18, and 19 which depend therefrom defines the inventive concept based on the same technical concept as claim 1. As the inventive departure which is defined in the claims is neither disclosed nor suggested in Yavetz either separately or in combination with Nishimura, it is understood that each claim in the application is in condition for allowance.

## CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment. In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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